



NEW YORK STATE SENATOR  
Velmanette Montgomery

## Senator Montgomery's Kinship Care Bill Signed Into Law

VELMANETTE MONTGOMERY October 30, 2019

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| COMMITTEE: CHILDREN AND FAMILIES



October 29, 2019

For Immediate Release

# SENATOR MONTGOMERY'S KINSHIP CARE BILL SIGNED INTO LAW

Today Governor Cuomo signed Senator Montgomery's Kincare Bill (S6405/A8059 - Jaffee) which previously passed both houses of the legislature unanimously.

This law encourages the placement of youth in foster care with relatives instead of strangers by making a much-needed amendment to the Family Court Act. It expands the definition of people who are eligible to petition the court to become foster parents, who are related to the child:

- Through blood, marriage or adoption
- Through a half sibling of the child through blood, marriage, or adoption and the person is or are the prospective or appointed relative guardian of the half sibling; or
- By a positive relationship with the child, including, but not limited to, a stepparent, godparent, neighbor or family friend.

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*"Already difficult circumstances become more challenging for children who are removed from their homes only to be placed with strangers. Whenever possible, we should try to support and strengthen existing family ties for young people caught up in the child welfare system," said State Senator Velmanette Montgomery. "I am happy the Governor signed my bill so we can make it a little bit easier for caring relatives and those invested in the child's wellbeing to step in and assist in these times of need."*

Assemblywoman Ellen Jaffee, Chair of the Assembly Committee on Children and Families, said, "By expanding kinship care, we are providing more resources for those caring for foster children. This new law will keep siblings together by allowing relatives and any non-relative with a positive relationship to the child to become permanent guardians. This will create a stable and healthy environment for foster children. Thank you to Governor Cuomo for recognizing the importance of foster families and their basic needs."

"The law recognizes grandparents, other relatives, and family friends as the best resource for children placed in foster care. Research over the last 20 years has shown that children experience more stability and maintain permanency at a higher rate when placed with kinship foster parents - their family and close friends stepping up to care for them. This bill expands the definition of kin who may petition family court to become foster parents of children in non-kin foster care to include non-blood relatives and certain family friends as persons recognized as kin. It will lead to more children in kinship families and ensure that vulnerable children have better outcomes," said Gerard Wallace, Esq. Senior Co-Director, NYS Kinship Navigator.

Numerous child welfare provisions and regulations express the preference for relatives to become foster parents. This law expands the eligibility and increases placement options for children in Foster Care, making so many more relatives eligible to partake in the KinGAP program.

The legislation had support from numerous child welfare advocates and organizations across the state including The Council of Family and Child Caring Agencies, AARP, New York Children Need Amazing Parents, The Family Center, Adoptive and Foster Family Coalition, Mobilization for Justice, and Kinship Navigators, which is the state's premiere source for providing municipalities with tangible strategies to locate and unite kin who are in need of caregiver services.

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#### RELATED LEGISLATION

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### **2019-S6405**

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- Introduced

- ○ In Committee Assembly
- In Committee Senate
- ○ On Floor Calendar Assembly
- On Floor Calendar Senate
- ○ Passed Assembly
- Passed Senate
- Delivered to Governor
- Signed By Governor
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Relates to an application of a relative to become a foster parent

June 07, 2019

Signed by Governor

Sponsored by **Velmanette Montgomery**

Do you support this bill?